



**BOARD OF APPEALS**

16 Jan Sebastian Drive, Sandwich, MA 02563  
Phone: 508-833-8001  
Fax: 508-833-8006  
E-mail: [planning@townofsandwich.net](mailto:planning@townofsandwich.net)

**Application for Special Permit**

To the Board of Appeals of the Town of Sandwich,  
The undersigned herewith submits an application and requests a hearing before the Board of Appeals for a Special Permit under Section \_\_\_\_\* of Sandwich Protective By-law for the purpose of \_\_\_\_\_

\*Section 2210 lists principal uses allowed, not allowed or requiring a special permit. Some areas of Town have specific additional requirements for certain uses i.e. water recharge areas, 3 Ponds District, Marine District.

Subject Property Map # \_\_\_\_\_, Parcel # \_\_\_\_\_. (Found on tax bill) Zoning District: \_\_\_\_\_

Registry of Deeds title reference: Book \_\_\_\_\_, Page \_\_\_\_\_, or Certificate of Title Number \_\_\_\_\_ & Land Court Lot # \_\_\_\_\_ & Plan # \_\_\_\_\_.

(Call Barnstable County Registry at (508) 262-7733).

Property Street Address: \_\_\_\_\_

Lot area of subject property (Found on tax bill): \_\_\_\_\_

Frontage dimension of subject property (Call Assessor's Office at (508) 888-0157): \_\_\_\_\_

Date subject lot was created in its present form (Call Barnstable County Registry at (508) 362-7733): \_\_\_\_\_

Property Owner (s): \_\_\_\_\_

Owner's Permanent Address: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Signature of Property Owner(s): \_\_\_\_\_

Applicant: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Signature of Authorized Agent: \_\_\_\_\_

Daytime Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**Please read packet before submitting application.**

**Submission Requirements for Special Permit Applications**

**Two (2) copies of the following:**

Section 1340:

- Completed & signed application form. Applications may be submitted electronically or by hard copy. The Department of Planning & Development is authorized to require up to ten (10) hard copies of all materials.

**(Two copies of this form must be stamped in by the Town Clerk's office prior to submission. One copy stays with the Town Clerk. The original is filed with the Board of Appeals Application)**

- Written request for waiver of any submission requirements.
- Photographs of premises and all adjoining structures.
- A site plan prepared to a scale of 1" = 40' minimum, by a Massachusetts Registered Architect, Landscape Architect, Civil Engineer or Land Surveyor, illustrating:
  - The shape and location of the proposed building(s) and proposed addition(s).  
(*Section 2600 details setback requirements.*)
  - Vehicular and pedestrian circulation.
  - Proposed parking including service vehicles. (*Section 3120 defines parking requirements.*)
  - Entranceways, roadways, sidewalks and loading areas.
  - The general extent and nature of proposed cutting of natural vegetation and the proposed planting and landscaping of disturbed areas. (*Section 3500 has lot coverage requirements.*)
  - The general intentions for proposed utilities, the location and size of septic tanks and leaching fields and the handling of surface drainage.
  - The general location and types of outdoor signs. (*Town Bylaw Section 6.60 has sign sizes and types of illumination allowed.*)
  - The general location and intent of outdoor lighting. (*Section 3470 describes type and height of outdoor lighting allowed.*)
  - The general location and type of outdoor storage, fencing and screening. (*Sections 3540, 3550 & 3560 describe requirements.*)
  - Principal elevation at a scale of 1/16" = 1' minimum, showing:
    1. The general massing and height of the proposed facility, and  
(*Section 2600 lists height requirements.*)
    2. Any special heating, ventilation and mechanical requirements impacting the exterior.

**Abutters Notice**

The laws governing Special Permits specify that "parties in interest" (also referred to as **abutters**) are entitled to receive **notice of the public hearing** for a special permit application and the **decision** on that application. The statute defines "parties in interest" as the person requesting the special permit for the property that is the subject of the special permit application; abutters, that is all property owners whose property directly

abuts the property that is the subject of the special permit application; owners of land directly opposite on any street; abutters to abutters within three hundred feet of the property line of the petitioner and the Planning Boards of all abutting towns be sent notice as well. For Sandwich the abutting towns are Bourne, Barnstable, Falmouth and Mashpee. The Assessing Department is familiar with these requirements.

The list of abutters must be certified by the Assessing Department. The Assessing Department is required to certify these lists in ten (10) days from the date they are received at the Assessing Department. The Assessing Department processes abutter's list certification requests in the order in which they are received. The Assessing Department will contact the person requesting certification when the list has been certified or if there are errors that require a revised abutter's certification request to be submitted to the Assessing Department. There is a fee for certifying abutter's lists. The phone number for the Assessing Department is 508-888-0157. You may also view instructions on the Town website at [www.sandwichmass.org](http://www.sandwichmass.org). Click on the Maps tab.

The original copy of the abutter's list certified by the Assessing Department must be submitted with the Special Permit application materials. The certified abutter's list is then used by the applicant **to address the envelopes necessary for the required abutter's notice** for the public hearing and for the decision.

***Addresses for the Planning Boards of the four abutting towns:***

|                    |                |   |
|--------------------|----------------|---|
| Town of Bourne     | Planning Board | 24 Perry Avenue, Buzzards Bay, MA 02532     |
| Town of Barnstable | Planning Board | 200 Main Street, Hyannis, MA 02601          |
| Town of Falmouth   | Planning Board | 59 Town Hall Square, Falmouth, MA 02540     |
| Town of Mashpee    | Planning Board | 16 Great Neck Road North, Mashpee, MA 02649 |

**Public Hearing Notice – 1<sup>st</sup> Mailing**

The public hearing notice is mailed to each abutter and the four abutting towns **by certified mail with return receipt requested. Remember to include an envelope for the applicant and/or property owner(s). Please be sure that the envelopes are complete with the following information:**

- a. Each envelope must be legibly addressed; the return address must also be placed on the upper left hand corner of the envelope:

Planning & Development Office  
16 Jan Sebastian Drive,  
Sandwich MA 02563;
- b. Each envelope must have enough postage on it to mail one sheet of paper by certified mail return receipt requested;
- c. Each envelope must have the certified mail slips filled out;
- d. Each envelope must have the return receipt cards completely filled out. On the return receipt cards:
  1. The addressee is the person or organization to whom the public hearing notice is being sent.
  2. The service type is Certified Mail.
  3. The article number is the number on the Certified Mail slip.
  4. The return receipt cards must show the sender's address as:

Planning & Development Office  
16 Jan Sebastian Drive  
Sandwich, MA 02563;

- e. Place certified slip and green return receipt card inside each envelope and submit along with your completed application.

### **Decision – 2<sup>nd</sup> Mailing**

After the Board makes their decision, the law requires that this decision must also be noticed to the abutters and the Planning Boards of the four abutting towns by regular first class mail. However, the applicant and property owner(s) must be notified by **Certified Return Receipt** (please see the above “Public Hearing Notice” section for these envelope procedures).

For the **decision** envelopes:

- a. Each envelope must be legibly addressed to the abutter or abutting town's Planning Board; the return address placed on the upper left hand corner of the envelope is:  
Planning & Development Office  
16 Jan Sebastian Drive  
Sandwich MA 02563;
- b. Each envelope must have a first class stamp affixed to it.
- c. Submit these envelopes along with your completed application.

The Planning & Development Office will mail the public hearing notices and the decisions to the abutters, Towns, applicant and/or property owner(s).

If you are being represented by an attorney/consultant, make sure you include envelopes for both the public hearing notice & decision to be mailed to your attorney/consultant as well.

### **Advertising**

The laws governing Special Permits require that a public hearing be advertised in a newspaper of general circulation. The advertisement must appear two times with the first time being not less than fourteen (14) days before the public hearing. The advertisement must state the nature of the applicant's request, along with the date, time and place where the public hearing is to be held.

The applicant is responsible for the cost of the required advertising. The Town of Sandwich has contracted with Falmouth Publishing for the advertisement of public hearing notices. Falmouth Publishing publishes the Sandwich Enterprise once a week on Fridays. A check made out to **Falmouth Publishing Co., Inc.** (please refer to Fee Schedule) is required at the time of application submittal.

### **Next Steps**

After the close of the public hearing the law gives the board 90 days in which to file a decision with the Town Clerk. If the Special Permit is granted, the law requires that a 20 day appeal period must elapse from the date of that Town Clerk stamp before the decision is final. On the 21<sup>st</sup> day you may obtain a copy of the decision from the Town

Clerk, which will bear a notice that no appeals have been filed. The decision is then eligible to be recorded at the Registry of Deeds. (*Mandatory condition of all special permits and variance grants.*)

Please contact the Town Clerk's Office at 508-888-0340 for further information regarding the appeal period and the time that your decision will be ready for you. A copy of the recorded Special Permit must be provided to the Board of Appeals.

If you have any questions, please contact the Planning & Development Office at (508) 833-8001 or e-mail us at [planning@townofsandwich.net](mailto:planning@townofsandwich.net)